



RCE/1661
SAC

REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as first class mail in an envelope addressed to Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on May 25, 2004.


Trudi Thompson

Application Number	:	10/016,070	Confirmation No. 6974
Filing Date	:	December 5, 2001	
Inventor(s)	:	James W. Coiner	
Title	:	HYBRID TEA ROSE PLANT NAMED 'TANTALIZING RED'	
Group Art Unit	:	1661	
Examiner Name	:	Howard J. Locker	
Docket No.	:	47496/CAB/C614	Date: May 25, 2004
Customer No.	:	23363	

MAIL TO: Mail Stop RCE

This is a Request for Continued Examination (RCE) under 37 CFR § 1.114 of the above-identified application.

This application is **not** an application of the kind specified in 37 CFR § 1.114(e).

1. THE STATUS OF THE APPLICATION IS AS FOLLOWS:

a. Pending (no review proceedings active)

(1) An Action was mailed by the Office on November 25, 2003, as to which no appeal under 37 CFR § 1.191 has been filed and
_____ a response under 37 CFR § 1.116 was mailed on
_____ via Express Mail
_____ with certificate of mailing under 37 CFR § 1.8

that Action was a Final Rejection, the finality of which is to be withdrawn by this Request
_____ an appeal or civil action under 35 U.S.C. 141,145 or 146 has been terminated

(2) Allowed: the Notice of Allowance was mailed by the Office on
_____ the Issue Fee has not been paid
_____ the Issue Fee has been paid **and** a petition under 37 CFR § 1.313 was granted on

b. Pending (with review proceeding active)
An appeal under 37 CFR § 1.191 has been filed. **Applicant(s) hereby withdraw that appeal and request reopening of the prosecution of the application.**

2. SUBMISSION(S) REQUIRED (check at least one)

a. Previously submitted
_____ Consider the amendments/reply under 37 CFR § 1.116 previously filed on

**REQUEST FOR CONTINUED EXAMINATION (RCE)
TRANSMITTAL**

Application No. 10/016,070

Consider the arguments in the Appeal or Reply Brief previously filed on
 Other:

b. Enclosed

Amendment/Reply
 Affidavit(s)/Declaration(s)
 Information Disclosure Statement
 Documents under 37 CFR § 1.48
 Petition for Extension of Time
 Other:

The Examiner is requested to telephone the undersigned promptly following receipt and initial review of the application in light of the Submissions(s) for the conduct of, or the scheduling of, a telephone interview in the application.

Please address all correspondence to **CHRISTIE, PARKER & HALE, LLP, P.O. Box 7068, Pasadena, CA 91109-7068**.

Respectfully submitted,

CHRISTIE, PARKER & HALE, LLP

By Cynthia A. Bonner
Cynthia A. Bonner
Reg. No. 44,548
626/795-9900

CAB/tt



**REQUEST FOR CONTINUED EXAMINATION (RCE)
FEE CALCULATION SHEET**

Application No. 10/016,070

PART I — BASIC FEE			
BASIC FEE		Small Entity \$385.00	Large Entity \$770.00

PART II — ADDITIONAL CLAIMS (compared to application before RCE)						
	Claims Remaining After Amendment	Highest Number Previously Paid For	Number Extra Claims	Small Entity Rate	Large Entity Rate	FEE
Total Claims	1	1	0	x \$9.00	x \$18.00	
Independent Claims	0	0	0	x \$43.00	x \$86.00	
First Presentation of Multiple Dependent Claim				\$145.00	\$290.00	
TOTAL CLAIMS FEE						0
List Independent Claims: 1						
* IF THE "HIGHEST NUMBER OF TOTAL CLAIMS PREVIOUSLY PAID FOR" IS LESS THAN 20, WRITE "20" IN THIS SPACE.						
** IF THE HIGHEST NUMBER PREVIOUSLY PAID OR IS 3 OR LESS, WRITE "3" IN THIS SPACE.						

1. FEES (*The RCE fee under 37 CFR § 1.17(e) is required by 37 CFR § 1.114 when the RCE is filed.*)
 - a. Amount (total from Fee Calculation Sheet)
A check for \$385.00 is enclosed.
 - b. X The Commissioner is hereby authorized to charge any fees under 37 CFR 1.16 and 1.17 which may be required for this transaction to Deposit Account No. 03-1728. Please show our docket number with any charge or credit to our Deposit Account. A duplicate copy hereof is enclosed.



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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TC/A.U. : 1661
Examiner : Howard J. Locker

Docket No. : 47496/CAB/C614
Customer No. : 23363

AMENDMENT

Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Post Office Box 7068
Pasadena, CA 91109-7068
May 25, 2004

Commissioner:

In response to the Final Rejection of November 25, 2003,
please amend the above-identified application as follows:

Amendments to the Specification begin on page 2 of this paper.

Amendments to the Drawings begin on page 3 of this paper and
include an attached replacement sheet.

Remarks/Arguments begin on page 4 of this paper.

An **Appendix** including a Substitute Specification (clean copy and
marked up copy) and a replacement illustration sheet is attached
following page 4 of this paper.